

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
	Plaintiff,)
vs.)	Case No. 06-0391-01-CR-W-FJG
Alphonzo Henderson,)	
)	
	Defendant.)

ORDER

Pending before the Court is the issue of defendant's mental competency. On April 30, 2007, defendant filed a motion for determination of competency (Doc. #62) which was granted by Magistrate Judge Robert E. Larsen (Doc. #63, April 30, 2007). Judge Larsen held a hearing regarding defendant's mental competency on August 6, 2007, at which time the parties stipulated to the forensic evaluation of Jason V. Dana, Psy. D.

Judge Larsen issued a report and recommendation (Doc. #75), filed August 8, 2007, finding that defendant is competent to stand trial and to assist in his defense. Thereafter defendant filed a supplemental response to competency hearing (Doc. #78, August 10, 2007). Upon review of that response, Judge Larsen issued a supplemental report and recommendation (Doc. #79, August 13, 2007) finding defendant competent to stand trial and to assist his defense. Defendant's objections to the report and recommendation (Doc. #80) were filed August 14, 2007, and the government's response in opposition (Doc. #81) was filed August 17, 2007.

The Court, after independent review of the record and applicable law, finds that defendant is competent to understand the nature and consequences of the proceedings against him and to properly assist in his own defense, and that he is competent to stand trial.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 8/27/07
Kansas City, Missouri